

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

ENRIQUE BECERRIL
and MARIA BECERRIL

V.

FIDELITY NATIONAL PROPERTY
AND CASUALTY INSURANCE CO.

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CIVIL ACTION NO. G-10-302

ORDER ADOPTING
REPORT AND RECOMMENDATION

On June 11, 2013, Magistrate Judge Froeschner issued a Report and Recommendation in which he recommended that the “Motion to Enter Judgment or Alternatively, Motion for Summary Judgment” of Plaintiffs, Enrique and Maria Becerril, be denied. On June 12, 2013, Plaintiffs filed timely objections to the Report and Recommendation. Thereafter, on June 26, 2013, Defendant, Fidelity National Property and Casualty Insurance Company (Fidelity), filed a response. This matter is, therefore, ripe for final determination.

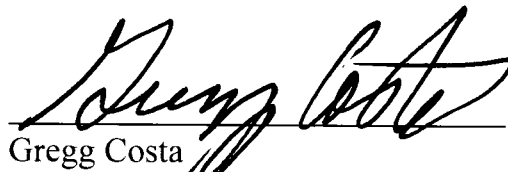
Having now completed a *de novo* review of the Plaintiffs’ Motion, pursuant to 28 U.S.C. § 636(b)(1)(C), this Court finds that the findings and recommendations of Magistrate Judge Froeschner are well-grounded in law and fact.

Accordingly, it is hereby **ORDERED** and **ADJUDGED** that:

- 1) Plaintiffs' objections to the Report and Recommendation are **OVERRULED**;
- 2) the Report and Recommendation of Magistrate Judge Froeschner is **APPROVED** and **ADOPTED** by this Court; and
- 3) the "Motion to Enter Judgment or Alternatively, Motion for Summary Judgment" (Instrument no. 51) of Plaintiffs, Enrique and Maria Becerril, is **DENIED**.

This case has been referred to Magistrate Judge Froeschner since August 12, 2010, and he is much more familiar with it and the attorneys involved than this Court. The imposition of sanctions, if any, on Plaintiffs' counsel under 28 U.S.C. §1927, would best be considered by him in the first instance. This Court, therefore, will not take any action on Fidelity's request for sanctions at this time.

DONE at Galveston, Texas, this 16th day of July, 2013.


Gregg Costa
United States District Judge